

Atty. Dkt. No. 00CR064/KE

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1-28 are now pending in this application.

In Paragraphs 1 and 2 of the Office Action, claims 1-2, 4-9, 11-14, and 16-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,477,152 ("Hiatt"). The Examiner states:

Hiatt teaches the apparatus and method for data communications for a mobile platform . . . comprising a very low range direct broadcast receiver located on the mobile platform (fig. 5, element 506). . . Hiatt further discloses that the commands are forwarded to an Internet service provider and the Internet service provider responds via the direct broadcast receiver. . .

Applicant respectfully traverses the rejection.

Claims 1 and 8 recite that the direct receiver is configured to receive signals within a very low range or that the Internet data is provided from a distance of less than a few meters. Claim 1 recites:

a direct very low range broadcast receiver.

Claim 8 recites:

providing Internet data to the computer network on the mobile platform via the direct broadcast receiver from a distance of less than a few meters.

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The specific ranges recited in claims 1 and 8 provide significant advantages over Hiatt. Applicant respectfully submits that the low range receivers are described throughout the present application. The specification of the present application states:

Direct transmitter 66 and transmitter 70 are preferably short range communication units. System 30 can be designed so that transmitters 66 and 70 only require a range of several feet or a few meters.

See present application, page 16, lines 11-13. Further, the present application notes: "Wireless gatelink 130 can be a very short-range (several feet to a few meters) high-speed radio data link or high-speed optical data link." See present application, p. 22, lines 12-15. The present application also states:

In this way, several mobile platforms 35 can communicate to several docking areas 37 without interference and without utilizing different frequency ranges. In addition, utilizing short-range devices for receivers 60 and 72 and transmitter 70 allows smaller antennas. . . .

See present application, p. 16, lines 13-17. Therefore, exemplary embodiments of the inventions recited in claims 1 and 8 provide advantages related to size and interference.

In direct contrast with the present invention as recited in claims 1-17, Hiatt does not show, describe or suggest short range transceivers. Receiver 106 in Hiatt is not disclosed as being a very short range receiver. Indeed, the only range discussed is a 1,000 foot range associated with a wireless LAN. See Hiatt, col. 9, lines 23-26. The 1,000 foot range is significantly greater than the ranges recited in claims 1 and 8. The communication types, including infrared signals, may potentially be received from a significant distance, more particularly from greater than a few meters. A wireless LAN that is configured to broadcast within a 1,000 foot range cannot provide the advantages described in the present application. If multiple transmitters, as described in the present application, are used in the system of Hiatt the 1,000 foot range would cause interference and require the use of different frequency ranges.

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Similarly, the 1,000 foot range would require larger antennas to receive the signal. Accordingly, claim 1 and its dependent claims 2-7, and claim 8 and its dependent claims 9-17 are patentable over Hiett.

In Paragraph 3 of the Office Action, claims 3, 10, and 15-17 are rejected under 35 U.S.C. § 103 as being unpatentable over Hiett in view of U.S. Patent No. 6,314,572 ("LaRocha"). The Examiner states:

LaRocha teaches a method and apparatus for providing subscription on demand services for interactive information distribution system.

Applicant respectfully traverses the rejection.

As discussed in the previous response to the Office Action, LaRocha does not provide a direct receiver, much less the ranges recited in claims 1 and 8. Therefore, LaRocha does not provide for the deficiencies of Hiett. Accordingly, it is respectfully submitted that claims 3, 10, and 15-17 are patentable over LaRocha and Hiett.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers

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submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date 8 June 2004By Nathan O Jensen

Rockwell Collins, Inc.
Intellectual Property Department
400 Collins Road NE M/S 124-323
Cedar Rapids, IA 52498
Telephone No. (319) 295-8280
Facsimile No. (319) 295-8777
Customer No. 26383

Nathan O. Jensen
Attorney of Record
Reg. No. 41,460